In the High Court of Punjab and Haryana, Chandigarh.

C.W.P.No.19878 of 2006

Date of Decision: 15.12.2006

R.K.Bansal …Petitioner.

Versus

Uttar Haryana Bijli Vitran Nigam Limited & Another.

…Respondents.

CORAM: HON'BLE MR.JUSTICE M.M.KUMAR
HON'BLE MR.JUSTICE M.M.S.BEDI

Present: Mr.J.K.Goel, Advocate
for the petitioner.

JUDGMENT

M.M.KUMAR, J. (ORAL)

The prayer made by the petitioner in the instant petition is for quashing the impugned order dated 4.3.2005 (Annexure P3). It is appropriate to mention that the respondent No.1 has rejected the request of the petitioner for exemption from passing of one paper of Departmental Accounts Examination for Engineering. The request was considered by the Whole Time Directors and was not found feasible for acceptance by the Board. However, learned counsel for the petitioner has placed reliance on the notification dated 30.9.2004 (Annexure P4) which postulates that an Assistant Engineer who has crossed the age of 50 years may be considered for exemption from passing the Departmental Accounts Examination provided that he has satisfactory record of service. The aforementioned power is to be exercised

by the Board on the recommendations of whole time Directors.

It is well settled that exemption or relaxation of rules dealing with Departmental Examination cannot be claimed as a matter of right. The petitioner has been found unworthy of grant of such a relaxation/exemption by the competent authority. Even otherwise, no significant prejudice is likely to be caused to the petitioner except that he would not earn one increment as has been stated by the learned counsel for the petitioner. Therefore, we do not find any merit in this petition. Dismissed.

(M.M.KUMAR)
Judge

December 15, 2006 **(M.M.S.BEDI)**
dkb **Judge**